

Appl. No. : 10/619,205  
Filed : July 14, 2003

### REMARKS

Claim 1 has been amended to include all the limitations of claim 6 “wherein said valve portion comprises a guide portion disposed on the side **of the valve body** opposite to said shaft, and said valve mechanism **further** comprises a supporting body comprising (a) an opening portion for discharging a fluid and (b) a guide material guiding said guide portion” wherein the bold words have been added solely for clarification. Further, claim 1 has been amended to delete the new matter alleged in the Office Action. Claims 7-9 have been amended to depend from claim 1. Claims 6 and 10 have been canceled.

Claim 1 now recites the subject matter of claim 6 which has been examined on the merits. The remaining claims depend ultimately from claim 1. Thus, the amendments constitute no new matter or no issue. Applicant respectfully requests entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

#### Specification

Applicant is required to cancel the term “umbrella” because it allegedly constitutes a new matter. Further, the specification has been objected to as failing to provide proper antecedent basis for the claimed subject matter with regard to the term “umbrella”. The term has been deleted, thereby obviating this objection.

#### Rejection Under 35 U.S.C. § 112

Claims 1, 2, 6-13 and 22 have been rejected under 35 U.S.C. § 112, first paragraph, with regard to the term “umbrella”. The term has been deleted, thereby obviating this rejection.

#### Rejection Under 35 U.S.C. § 103

Claims 1, 2, 11-13, and 22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwartzman (668) in view of Schwartzman (365). Claim 1 is independent and has been amended to include the subject matter of claim 6 which has not been rejected on this ground. Thus, this rejection is moot.

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Claims 1, 2, 6-13, and 22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwartzman (162) in view of Schwartzman (365). Claim 1 is independent and has been amended to include the subject matter of claim 6. Applicant respectfully traverses this rejection.

With regard to the subject matter of claim 6, the Examiner states: "The reference to Schwartzman 162 discloses \*\*\* **a guide portion** is formed by multiple ribs 23 at the opening for discharging fluid and guiding the shaft and extends to the valve seat." (Emphasis added.) However, the Examiner's above interpretation is not appropriate.

Claim 1 as amended herein recites: **said valve portion** comprises **a guide portion** disposed **on the side of the valve body opposite to said shaft**, and said valve mechanism further comprises **a supporting body** comprising (a) an opening portion for discharging a fluid and (b) a guide material guiding **said guide portion**.

According to the Examiner, the guide portion is formed by multiple ribs 23. However, in Schwartzman, the valve portion 30 does **not** comprise the multiple ribs 23 (the valve seat portion 14 comprises the multiple ribs 23), and the multiple ribs 23 are **not** disposed on the side of the valve body 32 opposite to the shaft 34. Further, **no** supporting body is provided for guiding the multiple ribs 23. The multiple ribs 23 may be similar to the supporting body but are clearly **not** the guide portion recited in the claim. In claim 1, the guide portion (e.g., numeral 323 in Fig. 21(B)) **and** the supporting body (e.g., numeral 345 in Fig. 23(B)) are recited, and the guide portion is a part of the valve portion. The above structures are not taught or suggested by Schwartzman 162.

Schwartzman 365 is irrelevant to the above structures. Accordingly, not all of the limitations of claim 1 are taught or suggested by Schwartzman 162 or 365, and thus, claim 1 cannot be *prima facie* obvious over Schwartzman 162 and 365, alone or combined. The remaining claims depend ultimately from claim 1, and at least for this reason, the dependent claims also cannot be *prima facie* obvious over the Schwartzman 162 and 365, alone or combined. Applicant respectfully requests withdrawal of this rejection.

### **CONCLUSION**

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In light of the Applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.


Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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